

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Canadian Newstar Manufacture Co., Ltd.,

Court File No. 0:24-CV-04030 (JMB / SGE)

Plaintiff,

v.

**PLAINTIFF’S ANSWER TO
COUNTERCLAIMS**

Delavan AG Pumps, Inc.,

Defendant.

Plaintiff Canadian Newstar Manufacture Co., Ltd. (“Plaintiff” or “Canadian Newstar”) hereby answers the Counterclaims of Defendant Delavan AG Pumps, Inc. (“Defendant” or “Delavan”), as follows:

Canadian Newstar denies each and every allegation set forth in Delavan’s Counterclaims, except as hereinafter specifically admitted, explained, clarified, or otherwise pleaded. Canadian Newstar further states as follows:

1. Canadian Newstar admits, upon information and belief, the allegations in paragraph 1.
2. Canadian Newstar admits, upon information and belief, the allegations in paragraph 2.
3. Canadian Newstar lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 3.
4. Canadian Newstar denies the allegations in paragraph 4 as shipments were sent from Shandong Newstar and payments were made to both Canadian Newstar and Shandong Newstar.

5. Canadian Newstar admits, upon information and belief, the allegations in paragraph 5.

6. Canadian Newstar denies the allegations in paragraph 6 partially as some of the payments were paid to Canadian Newstar.

7. Canadian Newstar admits, upon information and belief, the allegations in paragraph 7 because Shandong Newstar issued the invoices.

8. Canadian Newstar denies the allegations in paragraph 8.

9. Canadian Newstar admits that its corporate registration lapsed on October 11, 2005, as indicated in publicly available records. Canadian Newstar denies the remaining allegations in Paragraph 9 to the extent they imply that it is not actively operating. While Canadian Newstar acknowledges that its administrative oversight regarding corporate registration has not yet been rectified, the company continues to operate actively, maintains an active account, and remains committed to rectifying this oversight promptly. Canadian Newstar emphasizes that its operations are unaffected by the lapse.

10. Canadian Newstar lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 10.

11. Canadian Newstar lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 11.

12. Canadian Newstar lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 12.

13. Canadian Newstar denies the allegations in paragraph 13.

14. Canadian Newstar denies the allegations in paragraph 14.

15. Canadian Newstar repeats its answers to the preceding paragraphs.

16. Canadian Newstar denies the allegations in paragraph 16 with respect Canadian Newstar and Shandong Newstar. Canadian Newstar lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 16 with respect to Yantai Newstar.

17. Canadian Newstar denies the allegations in paragraph 17.

18. Canadian Newstar denies the allegations in paragraph 18.

19. Paragraph 19 asserts legal conclusions to which no response is required; to the extent a response is deemed necessary, Canadian Newstar denies the allegations.

Dated: January 16, 2025

Respectfully Submitted,
/s/ Benjamin Solter
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